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UNCLAS SECTION 01 OF 04 HARARE 000232

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SUBJECT: RECOMMENDATIONS TO STRENGTHEN FINANCIAL AND VISA SANCTIONS

Overview

¶11. (SBU) U.S. sanctions have played a key role in putting pressure on the Government of Zimbabwe (GOZ). Post believes that now is the time to deepen and expand the financial and visa sanctions, and to apply further pressure on the regime as it increasingly shows signs of crumbling and fragmenting. We propose to aggressively target senior GOZ and ZANU-PF officials by adding more than 200 names of individuals to the sanctions lists who meet the current criteria for inclusion in the sanctions regime. Post also recommends an amendment to the current Executive Order on visa sanctions to add the children of Specially Designated Nationals (SDNs) to the list. Many SDNs send their children abroad, including the U.S., to study while at the same destroying the educational opportunities for other Zimbabwean children. (Note. The current Executive Orders already permit children's inclusion on the financial list. End Note.) To account for rapidly unfolding events, Posts recommends that the sanction process be streamlined so that we can more rapidly add new names as information arises. End Overview.

The Criteria

¶12. (SBU) In his Zimbabwe Proclamation of February 22, 2002, the President laid out criteria for barring particular Zimbabweans from entry into the United States. The criteria included senior members of the government of Robert Mugabe and other Zimbabwean nationals who formulate, implement, or benefit from policies that undermine or injure Zimbabwe's

democratic institutions or impede the transition to a multi-party democracy; persons who through their business dealings with Zimbabwe government officials derive significant financial benefit from policies that undermine or injure Zimbabwe's democratic institutions or impede the transition to a multi-party democracy; and the spouses of persons described above.

13. (SBU) In his Executive Order of November 23, 2005, the President laid out criteria for blocking the property of individuals found undermining Zimbabwe's democratic processes and institutions. The criteria includes individuals or organizations found to undermine Zimbabwe's democratic institutions and processes; have assisted, sponsored, or provided financial, material, or technological support to these entities; to be owned, controlled, or acting on behalf of a sanctions target; or to be an immediate family member of a sanctions target.

Post's Proposed List

14. (SBU) Over time Post has developed a detailed list of individuals that we judge worthy of adding to the financial and visa sanctions lists. Below is an overview of the categories of individuals we suggest adding to the lists. We have posted a detailed Excel spreadsheet of the suggested revisions to our classified website and emailed a copy to AF/S. Our classified website can be accessed at:
<http://www.state.sgov.gov/p/af/harare/>

15. (SBU) With the exception of the extension to spouses (in HARARE 00000232 002 OF 004

the visa criteria) and to immediate family members (in the financial criteria), the criteria are nearly identical. Post therefore recommends that the two lists be made identical, to the extent possible, and that individuals subject to one form of sanction be automatically be added to the other form of sanction.

Names To Be Added

16. (SBU) As the ruling party for the past 26 years, ZANU-PF has placed its firm imprint onto the decision-making processes of the GOZ. For example, any policy decisions are first discussed by the party structures of Central Committee and Politburo and then passed on to the Cabinet (consisting of Ministers, Deputy Ministers, and Provincial Governors) for comment and approval. In this process, any member of the Central Committee, Politburo, or Cabinet has an opportunity to suggest, support, and/or oppose particular policies brought before each body. As such, each member of the Central Committee, Politburo, and Cabinet has a direct hand in GOZ policy formulation. Therefore, we propose that all Central Committee, Politburo and Cabinet members that are not currently on the financial and visa sanctions lists be added.

17. (SBU) In addition, we propose inclusion of the most senior officials of key GOZ institutions not already on the lists. The senior members of the Zimbabwe Election Commission, the Zimbabwe Republic Police, and ZANU-PF provincial chairpersons merit inclusion for their role in suborning the integrity of Zimbabwean elections. The senior leadership of the security forces, to include the police, military, and intelligence branches, should also be included for their decisions to apply Zimbabwean law in a manner that violates human rights, and undermines democracy and the rule of law.

18. (SBU) Post further recommends that heads of key state-owned enterprises be added to the lists. Parastatal heads are government employees, and are among the most

corrupt and venal of the civil servants. Targeting parastatal heads would also serve to limit the GOZ's ability to use these parastatals as a tool of oppression and revenue-generation. Consistent with prior policy decisions we do not propose extending sanctions against parastatals more broadly to avoid the dilemma that doing so might harm the people of Zimbabwe. But there is great symbolic value in including the senior executives as individuals.

Inclusion of Children on Visa List

¶19. (SBU) The GOZ and ZANU-PF have systematically crippled Zimbabwe's once-promising educational system, and have shown a callous disregard for the plight of the country's most unfortunate schoolchildren, who do not have the same opportunity to travel abroad for schooling as the children of elites. At the same time, a significant number of senior GOZ and ZANU-PF officials avoid the consequences of their depredations by sending their children to the U.S. and foreign destinations for education.

¶10. (SBU) A significant number of Zimbabwean critics of the GOZ, while praising U.S. policy toward Zimbabwe, have lamented that children of ZANU-PF officials have not been

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included. These critics have told us that nothing would catch the attention of ZANU-PF officials more quickly than including their children on the sanctions lists. Denying visas to children of these officials and refusing to renew the visas of these children already in the U.S., in addition to placing these children on the financial sanctions list, would send a powerful message to the GOZ and ZANU-PF hierarchy.

¶11. (SBU) We therefore recommend an amendment to the current Executive Order on visa sanctions to add the children of SDNs to the list. Our consular section already has the names and identifying information of more than 30 children of SDNs who are believed to have traveled to the U.S. and is working to expand the list. Nine of these children are studying in the U.S. and our consular section has heard reliable information that additional children are studying in the U.S. under tourist visas, leading us to believe that there are additional children of SDNs studying in the U.S. We will continue to work on updating this information. U.S. leadership on this question could convince the U.K. and the Australians among others, to also sanction the leadership's children.

¶12. (SBU) We also recommend revoking the visas of children currently in the U.S., in addition to refusing to issue future visas. Those currently in the U.S. tend to be the children of ZANU-PF's old guard, who are most opposed to reform. Meanwhile, if the sanctions are not applied to those who currently have visas, the measure would primarily affect the families of the younger generation of ZANU-PF leaders, who are not as resistent to reform.

Exceptions

¶13. (SBU) Among the categories of individuals listed above who deserve inclusion in the financial and visa sanctions list, there are a number of moderate and reform-minded individuals for whom Post recommends that exceptions be made. Progressive individuals whom we have been able to cultivate should not be subject to the sanctions as it would jeopardize our ability to influence these individuals to work toward reforming the GOZ and ZANU-PF from the inside. Moreover, granting exceptions would encourage more insiders to embrace reform and further wedges within the regime. This is consistent with past policy of excluding selected individuals

from the financial and visa sanctions.

Names To Be Deleted

¶14. (SBU) We also recommend removing individuals from the lists who no longer meet the criteria of the sanctions regimes. Many individuals were initially added for association with former activities in the DRC and the flawed parliamentary election in March 2005, but have no current, significant political or financial role in the GOZ. These individuals should be removed.

¶15. (SBU) Post recommends that deceased sanctioned individuals remain on the financial sanctions list to prevent family members from benefiting from the ill-gotten estate, but that they be removed from the visa list.

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Streamlining The Process

¶16. (SBU) Since the inception of the financial and visa sanctions against targeted Zimbabwean officials an ad hoc process of suggesting and approving revisions has developed. As the lists have grown, however, this process has created confusion and led to an increasing divergence between the two lists. Moreover, this method is cumbersome, making it difficult to cope with the increasingly rapid pace at which we are collecting new names for consideration. To formalize this process and to make the addition of new names more nimble, Post recommends that AF/S maintain the authoritative list for both the financial and visa sanctions. Post also recommends that AF/S be charged with leading the inter-agency process of reviewing the suggested revision. Post will continue to collect names of individuals who merit inclusion on the list and will then forward these names to AF/S for consideration.

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